

CVM1023 AUTOMATED CASE MANAGEMENT SYSTEM 05/11/17
PAGE: 001 OF 001 DOCUMENT LIST 9:59

VENUE : MONMOUTH COURT : LAW CVL DOCKET #: L 001227 17
CASE TITLE : COFFEY III VS NEW JERSEY RE-INSURANCE COM ET AL

	DATE	DOC	DOCUMENT	NON	FILING/TARGET		MUL DOC
S	FILED	NUM	TYPE	CONF	PARTY NAME	FIRM NAME	PTY STA
	03 27 2017	001	COMP JRY DEMAND		COFFEY III	RUDNICK ADDO	N

CV900123 END OF SEARCH

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PF4=PROMPT PF6=CONSOLIDATED CASE LIST PF7=PRIOR PF8=NEXT PF22=HELP;

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APR 28 2017 1:15

NJM INSURANCE GROUP

MARK F. CASAZZA, ESQUIRE – ID # 042251998
RUDNICK, ADDONIZIO, PAPPÀ & CASAZZA
 A Professional Corporation
 25 Village Court
 Hazlet, New Jersey 07730
 (732) 264-4400 File No. L-11055-CZ
 Attorneys for Plaintiff

<p>WILLIAM E. COFFEY, III, d/b/a EDDIE COFFEY & SONS, as Assignee of COLLEEN GRAY,</p> <p style="text-align: center;">Plaintiff(s),</p> <p>v.</p> <p>NEW JERSEY RE-INSURANCE COMPANY; JOHN DOE(S) 1-5; ABC CO. 1-5,</p> <p style="text-align: center;">Defendant(s).</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MONMOUTH COUNTY</p> <p>Docket No. MON-L-1227-17</p> <p>Civil Action</p> <p style="text-align: center;">SUMMONS</p>
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**FROM THE STATE OF NEW JERSEY
 TO THE DEFENDANT(S) NAMES ABOVE:**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

/s/ Michelle M. Smith Esq.
 Clerk of Superior Court

DATED: April 27, 2017

Name and Address of Defendant to be served: NEW JERSEY RE-INSURANCE COMPANY
 301 Sullivan Way
 Trenton, NJ 08628

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Floor
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Case Processing Section, Room 119
Justice Center
10 Main Street
Hackensack, NJ 07601-0769
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
1st Floor, Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
1st Floor, Hall of Records
101 South Fifth Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 964-4520
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
9 North Main Street
Box DN-209
Cape May Court House, NJ 08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Broad & Fayette Streets, P.O. Box 615
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 692-6207
LEGAL SERVICES
(856) 451-0003

ESSEX COUNTY:

Deputy Clerk of the Superior Court
50 West Market Street
Room 131
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6207
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office, Attn: Intake
1st Floor, Court House
1 North Broad Street, P.O. Box 129
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Department
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08862
LAWYER REFERRAL
(908) 735-2611
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 South Broad Street
P.O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court
Administration Building
3rd Floor
1 Kennedy Square, P.O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House, 71 Monument Park
P.O. Box 1269
Freehold, NJ 07728-1262
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Deputy Clerk of the Superior Court
Civil Division
30 Schuyler Place, P.O. Box 910
Morristown, NJ 07960-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
Court House, Room 119
118 Washington Street
Toms River, NJ 08754
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 345-7171

SALEM COUNTY:

Deputy Clerk of the Superior Court
92 Market Street
P.O. Box 18
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5628
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
New Court House, 3rd Floor
P.O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840
SUSSEX COUNTY:
Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340
WARREN COUNTY:
Deputy Clerk of the Superior Court
Civil Division Office
Court House, 413 Second Street
Belvidere, NJ 07823-1500
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 475-2010

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1269
FREEHOLD

NJ 07728

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 677-4240
COURT HOURS 8:30 AM - 4:30 PM

DATE: APRIL 03, 2017
RE: COFFEY III VS NEW JERSEY RE-INSURANCE COM ET AL
DOCKET: MON L -001227 17

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON OWEN C. MCCARTHY

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003

AT: (732) 677-4262 EXT 4262.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

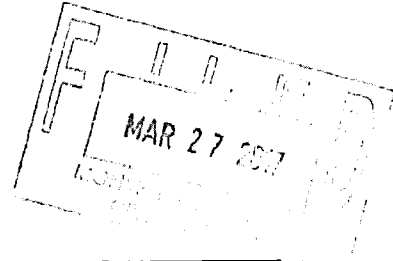
ATTENTION:

ATT: MARK F. CASAZZA
RUDNICK ADDONIZIO PAPPÀ & CASA
PARK VILLAGE
25 VILLAGE COURT
HAZLET NJ 07730

JUNNAL2

APR 06 2017

MARK F. CASAZZA, ESQUIRE – ID # 042251998
RUDNICK, ADDONIZIO, PAPP & CASAZZA
 A Professional Corporation
 25 Village Court
 Hazlet, New Jersey 07730
 (732) 264-4400 File No. L-11055-CZ
 Attorneys for Plaintiff



<p>WILLIAM E. COFFEY, III, d/b/a EDDIE COFFEY & SONS, as Assignee of COLLEEN GRAY, Plaintiff(s),</p> <p>v.</p> <p>NEW JERSEY RE-INSURANCE COMPANY; JOHN DOE(S) 1-5; ABC CO. 1-5,</p> <p>Defendant(s).</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MONMOUTH COUNTY</p> <p>Docket No. <i>L-1227-17</i></p> <p>Civil Action</p> <p>COMPLAINT AND JURY DEMAND</p>
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Plaintiff WILLIAM E. COFFEY, III, d/b/a EDDIE COFFEY & SONS, as Assignee of COLLEEN GRAY, by way of Complaint against Defendant, NEW JERSEY RE-INSURANCE COMPANY and JOHN DOE(S) 1-5; ABC CO. 1-5, states as follows:

THE PARTIES

1. WILLIAM E. COFFEY, III, d/b/a EDDIE COFFEY & SONS (hereinafter "Plaintiff") is a contracting company with its principal place of business located in the Township of Middletown, County of Monmouth and State of New Jersey. Plaintiff is the assignee pursuant to a written Assignment of Right of Claim for Insurance Benefits by the assignor, Colleen Gray.

2. COLLEEN GRAY is an individual and at all times relevant herein was insured by Defendant NEW JERSEY RE-INSURANCE COMPANY pursuant to a valid policy of flood insurance.

3. NEW JERSEY RE-INSURANCE COMPANY (hereinafter "NJRC") is an insurance company authorized to do business in the State of New Jersey with a principal place of business located in the City of Trenton, County of Mercer, and State of New Jersey.

FIRST COUNT
(BREACH OF CONTRACT)

1. NJRC issued Colleen Gray a flood insurance policy bearing Policy Number 00N0219501 for the policy period covering the date of loss in question, October 29, 2012.

2. Said policy of insurance provided, *inter alia*, that Ms. Gray was insured and covered with reference to any and all damage flood related damage to her dwelling located at 62 Seeley Avenue, Keansburg, New Jersey, under said policy.

3. On or about October 29, 2012, and within the policy period referred to herein, Ms. Gray suffered a covered loss under said policy due to Hurricane Sandy. Ms. Gray timely reported the loss to NJRC. Said claim was assigned File No. 14665 with NJRC's adjustment company, Jackson Adjustment, Co..

4. Pursuant to the terms of the aforesaid insurance policy, the defendant was to pay for any flood related damage to her home as a result of the October 29, 2012 loss.

5. Ms. Gray properly submitted a claim in a timely manner for the damages sustained by her as a result of this loss. NJRC accepted and adjusted the

loss and agreed to pay for contracting services to repair the damage to her residence. NJRC, in fact, made partial payments for contracting services performed at her residence.

6. Ms. Gray engaged plaintiff as her contractor to repair said damage.

7. Defendants breached its insurance contract with Ms. Gray by failing to provide her with coverage for the full amount of Plaintiff's contracting services performed to repair the damage to Ms. Gray's residence. As a result, there remains a balance due and owing by Ms. Gray to Plaintiff for their contracting services performed.

8. Ms. Gray has repeatedly requested the balance to be paid from NJM, but NJM has failed to do so. As a result, Plaintiff is due and owing the balance of monies owed for contracting services performed on Ms. Gray's behalf.

9. Ms. Gray has executed a written Assignment of Right of Claim for Insurance Benefits in favor of Plaintiff herein for benefits due and owing in this claim for insurance coverage benefits under the aforementioned policy of insurance with NJRC.

10. Notwithstanding the terms, conditions and provisions of the aforementioned policy of insurance, the defendant herein, by and through its agents, servants, employees, and representatives, negligently and/or improperly failed and refused to honor the terms and commitments of their contract aforesaid; have refused to pay for the full quantum of damages for the above-referenced claims.

11. As a direct and proximate result of defendant's breach of the insurance contract between the parties, Plaintiff has sustained monetary damages.

WHEREFORE, Plaintiff demands that judgment be entered against Defendant for:

- a) compensatory and consequential damages;
- b) pre-judgment and post-judgment interest;
- c) attorneys' fees and costs; and
- d) such other and further relief as the Court may deem just and

proper.

SECOND COUNT

(BREACH OF COVENANT OF GOOD FAITH AND FAIR DEALING)

1. Plaintiff repeats and incorporate the allegations contained in the First Count as if fully set forth herein.

2. The Policy, as with all contracts, contains an implied covenant of good faith and fair dealing.

3. Defendant knew or should have known from reviewing the Policy that it had an affirmative duty and obligation to pay the full quantum of Plaintiff's damage.

4. Defendant breached its duty of good faith because it had no fairly debatable reason or basis for refusing to provide Plaintiff with coverage for damage and by failing to issue a formal acceptance of denial of coverage.

5. As a result of Defendant's breach of its duties of good faith with respect to its contractual obligations under the Policy, Plaintiff has been harmed and has sustained substantial monetary damages.

WHEREFORE, Plaintiff demands judgment against Defendant for:

- a) compensatory and consequential damages;
- b) punitive damages;
- c) pre-judgment and post-judgment interest;
- d) attorneys' fees and costs; and
- e) such other and further relief as the Court may deem just and

proper.

THIRD COUNT

(BREACH OF FIDUCIARY DUTY)

1. Plaintiff repeats and incorporates the allegations contained in the First and Second Counts as if fully set forth herein.

2. As a fiduciary, Defendant owed Plaintiff the highest level of fidelity and candor and, in that capacity, occupied a special relationship with Plaintiff.

3. Defendant's conduct as referred to hereinabove was violative of its fiduciary obligations owed to Plaintiff.

4. Defendant knowingly and/or willfully breached its fiduciary obligations owed to Plaintiff.

5. As a direct and proximate result of Defendant's breach of its fiduciary duty, Plaintiff has sustained damages.

WHEREFORE, Plaintiff demands judgment against Defendant for:

- a) compensatory and consequential damages;
- b) punitive damages;
- c) pre-judgment and post-judgment interest;
- d) attorneys' fees and costs; and

e) such other and further relief as the Court may deem just and proper.

FOURTH COUNT
(UNJUST ENRICHMENT)

1. Plaintiff repeats and incorporates the allegations contained in the First, Second, and Third Counts as if fully set forth herein.

2. By their failure to pay the balance of insurance benefits to Plaintiff herein, Defendant NJRC has been unjustly enriched in an amount equal to the balance owed under the insurance contract between NJRC and Ms. Gray as aforesaid.

3. As a direct and proximate result, Plaintiff has sustained monetary damages.

WHEREFORE, Plaintiff demands judgment against Defendant for:

- a) compensatory and consequential damages;
- b) pre-judgment and post-judgment interest;
- c) attorneys' fees and costs;
- d) punitive damages; and
- e) such other and further relief as the Court may deem just and proper.

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of Rule 4:25-4, the Court is advised that MARK F. CASAZZA, ESQUIRE, is hereby designated as trial counsel.

CERTIFICATION OF COMPLIANCE WITH RULE 1:38-7(c)

Pursuant to R. 1:38-7(c), I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

CERTIFICATION



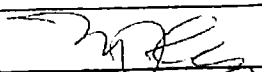
I hereby certify that, pursuant to Rule 4:5-1(b)(2), a separate claim for personal property benefits arising under the same policy and for the same date/cause of loss exists. Said action entitled Colleen Gray v. New Jersey Re-Insurance Company (NJRC) in Monmouth County Special Civil Part with Docket No.: DC-8051-13, was subsequently removed to Federal District Court bearing Case No.: 3:13-cv-04396-MLC-DEA.

RUDNICK, ADDONIZIO, PAPPÀ & CASAZZA
Attorneys for the Plaintiff

By: 
MARK F. CASAZZA, ESQUIRE

DATED: March 23, 2017

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
					PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	
					CHG/CK NO.	
					AMOUNT:	
					OVERPAYMENT:	
				BATCH NUMBER:		
ATTORNEY / PRO SE NAME Mark F. Casazza, Esq.			TELEPHONE NUMBER (732) 264-4400		COUNTY OF VENUE Monmouth	
FIRM NAME (if applicable) Rudnick, Addonizio, Pappa & Casazza, P.C.			DOCKET NUMBER (when available) L-122717			
OFFICE ADDRESS 25 Village Court Hazlet, New Jersey 07730			DOCUMENT TYPE Complaint			
			JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
NAME OF PARTY (e.g., John Doe, Plaintiff) William E. Coffey, III d/b/a Eddie Coffey & Sons, as Assignee of Colleen Gray, Plaintiff			CAPTION William E. Coffey, III d/b/a Eddie Coffey & Sons, as Assignee of Colleen Gray v. New Jersey Re-Insurance Company			
CASE TYPE NUMBER (See reverse side for listing) 505		HURRICANE SANDY RELATED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS Federal District Court; Case No.: 3:13-cv-04396-MLC-DEA				
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN				
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.						
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION						
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input checked="" type="checkbox"/> BUSINESS				
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO						
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION						
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION				
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?				
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule</i> 1:38-7(b).						
ATTORNEY SIGNATURE: 						

LOBBY SERVICES

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APR 28 2017
MAIL SERVICES

Flood
JK
Summers

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